IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 1829 OF 2005

RAM NARESH RAJARAM GUPTA .. PETITIONER

Vs.

SMT. RADHIKADEVI RAMMANOHAR GUPTA.. RESPONDENT

Mr. S. K. Mali for petitioner

CORAM:-SMT. RANJANA DESAI, J.

DATED:-28-3-2005

P.C.

Heard learned counsel for the petitioner. Both the courts have held against the petitioner tenant on the ground of non-payment of arrears of rent. Admittedly the defendant did not tender the rent within one month from the receipt of demand notice.

He did not make any application for fixation of standard rent in respect of the suit premises. He did not even give any reply to the demand notice sent to him by the plaintiff. He also did not comply with the order of

deposit of rent passed by the court.

In my opinion, therefore, the courts below have rightly held that the plaintiff has failed to pay arrears of rent. The concurrent finding of fact cannot be disturbed in writ jurisdiction. Hence writ petition is dismissed.